

PATENT

under 35 U.S.C. 103(a) as being unpatentable over Yoshimoto in view of Higuchi et al. (US 6,510,755).

Applicants respectfully traverse the grounds of both rejections. Yoshimoto discloses a hydrostatic bearing with a self-controlled restricting mechanism, having air-in grooves 24a to 24c. Although Yoshimoto states in Col. 7, lines 3-4, as the Examiner noted, that depth of the air-in groove is 30 μm, it does not teach or suggest the clearance height requirement or the five-fold relationship between the height of the clearance and the depth of the air groove of the instant claims. Meanwhile, Claims 1 and 2 of the instant application clearly require that “a clearance (h) of the bearing is at most 5μm, and the ratio of a depth (g) of the air groove to the clearance (h) is at least 5.” In fact, Yoshimoto is entirely silent as to these limitations.

Since Yoshimoto does not disclose each and every elements of the instant claims, the rejection under § 102(b) should be withdrawn.

Furthermore, nothing in Yoshimoto and Higushi suggests to one of skill in the art to limit the height of the clearance and the depth of the air groove based on the clearance thickness. Rather, the art suggests, as stated in the instant specification in paragraph [0005] and in Japanese Patent Publication No. 3-213718, that the height of the clearance is preferably not smaller than 5 μm and the depth of the air groove is preferably not larger than 20 μm, which would make their ratio 4 or less.

In addition, material of members constituting the bearing of the present invention may include ceramics having low thermal expansion coefficient, such as alumina, silicon carbide, silicon nitride, Sialon, cordierite or a composite ceramics. Higushi does not suggest using ceramics with low thermal expansion coefficient for the bearing of the present invention.

PATENT

Therefore, Yoshimoto alone or in combination with Higushi neither anticipates nor makes obvious the instant claimed invention. Withdrawal of the rejections is respectfully requested.

Prompt reconsideration and allowance are respectfully requested.

It is believed that no fee is due at this time. However, the Commissioner is hereby authorized to charge payment of any additional fee or credit any overpayment to Deposit Account No. 02-4377.

Respectfully submitted,


By: _____
Chang Sik Kim
Limited Recognition
(212) 408-2678

Gary M. Butter
Reg. No. 33,841
(212) 408-2546

Attorneys for Applicants
BAKER BOTTS L.L.P.
30 Rockefeller Plaza, 44th floor
New York, New York 10112-0228
(212) 408-2500

Dated: August 10, 2005

NY02:467270.2